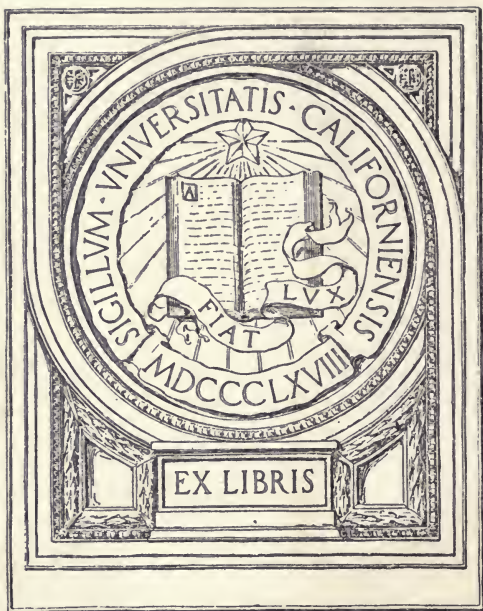


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*National Union Party.
California State Central
Committee.*

ADDRESS

OF THE

NATIONAL UNION

State Central Committee

TO THE

PEOPLE OF CALIFORNIA.



SAN FRANCISCO:

ALTA CALIFORNIA GENERAL PRINTING HOUSE,

529 California Street.

1866.

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A D D R E S S .

NATIONAL UNION
STATE CENTRAL COMMITTEE ROOMS,
SAN FRANCISCO, Sept. 26, 1866. }

To the People of the State of California :

The importance of the issue between the President and Congress, and the practical influence upon the decision of that issue, which the action of the people before the meeting of Congress, in December next, must exert, render it desirable for the citizens of each State of the Union to give authoritative expression to their views, to the end that the existing difficulties may be settled in such a manner as to preserve the national unity and the national honor, individual liberty, and the Constitutional rights of the States.

Believing that the rehabilitation policy of President Johnson presents the only practicable mode

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of securing the ends for which the late war was prosecuted, and of perpetuating the existence of free representative government in the United States and that the reconstruction policy of the Congressional majority is subversive of those ends and calculated to divide and distract the country, and to disturb the equipoise of our Republican institutions, and realizing that in all organization the initiative must be taken by a few persons, the undersigned have the honor to submit to the people of California a brief statement of what they conceive to be the real questions between Congress and the President, and of the argument by which the policy of the President is justified, and to suggest a plan of action by which those who agree with the Administration may give to it in the present crisis an united and effective support.

The facts of the late war are fresh in the memory of the people, and the able address of the Convention recently held at Philadelphia, together with the many speeches and documents which have been circulated within the last few months, in which the questions growing out of the restoration of peace have been discussed, has narrowed the duty we have

assumed to the simple task of condensing and arranging the arguments which have been already fully elaborated and placed within the reach of the public.

When, in 1861, the Southern States attempted to withdraw from the Union, the people of the United States were divided into the following classes :

IN THE DISLOYAL STATES :

1. Radical Secessionists, who had been long scheming to destroy the Union, and to form a Confederacy composed of the Slave States.

2. Conservative Secessionists, who recognized the doctrine of Secession, but were willing to remain in the Union until overcome by a voting majority in their respective States, or until what they deemed some further and more flagrant invasion of Southern rights was committed under a Republican Administration.

3. Conservative Unionists, who repudiated the doctrine of secession, and who were in favor of the preservation of the Union until the organization of the so-called Southern Confederacy, when they acquiesced in the situation.

4. Radical Unionists.

IN THE LOYAL STATES:

1. Radical Abolitionists, who looked forward to a complete change in the social and political condition of the Southern States, but were willing to concede the right and to submit to the fact of secession, trusting to peaceful agencies to accomplish their purposes.

2. Radical Abolitionists, who were identical in opinions with the class last named, except that while recognizing the various acts of secession and the independent existence of the Southern Confederacy, in order to carry their own theories into effect, they favored an aggressive war for the purposes of conquest and subjugation.

3. Men of all parties, whose political creed in time of danger was the indestructibility of the Union under the Constitution, and who regarded all other questions as subordinate and subsidiary to this cardinal article of their faith.

4. Sympathizers with the rebellion.

In the South, as is well known, after the commencement of hostilities, when individual and sectional pride were drawn into the contest, and the destruction of the institution of slavery was threatened, all parties, except the Radical Unionists, be-

came united, and, under the pressure of apparent necessity, the war was vigorously and persistently conducted to the point of utter exhaustion. In the North, removed from the scene of active military operations, discussion was constant and bitter, and the arguments of the radical and belligerent abolitionists furnished the texts of the European press and of European statesmen, by whom we were charged with waging an unjust and oppressive war against a people entitled to their independence, and struggling against superior numbers and superior wealth. The great body of the people, however, were not misled. It was seen that the Constitution under which the Union was established did not provide the means for its own destruction, and therefore that secession could not logically be justified ; and the public mind readily perceived that two rival republics, founded upon antagonistic social systems, could not co-exist upon the territory embraced within the United States, and therefore that the permanence of our Republican institutions and the preservation of our individual liberty depended upon the unity of the nation. These considerations determined the popular judgment and controlled the policy of the war.

The acts of secession were treated as absolutely void. The self-styled government of the Confederate States was regarded as without lawful existence, as possessing a merely usurped and temporary authority in fact, wholly dependent upon the military forces by which it was protected, and as incapable of any act in its official capacity which the Government of the United States could recognize. In short, the Constitution being justly interpreted to prohibit secession, every act done by individuals and by communities in violation of that instrument, was necessarily considered and treated as a nullity, and the war, on the part of the United States, was carried on simply to suppress rebellion and to enforce the laws.

It must be remembered that the theory under which the war was prosecuted was not affected by the magnitude of the struggle, or by the numbers engaged by or in it, the peculiar conditions and circumstances collaterally connected with it, or by the unanticipated results which flowed from it. There were great armies in the field, and between them the rules of honorable warfare were observed, and there were obvious peculiarities in the situation of the contending parties, which, in the interests of hu-

manity, compelled a sort of informal negotiation. But on no one occasion was the legal existence of the Confederate Government, or the validity of any of its acts admitted; on no one occasion was it conceded that the number of States in the Union after the attempted acts of secession, was less than the number before those acts; and in all the acts and declarations of Congress, and of the executive officers of the Government, up to the close of the war, we believe that it would be impossible to detect a single instance of departure from the position we have attempted to define.

To the simplicity and justness of this position, so fully comprehended and so frequently explained by Mr. Lincoln, the successful termination of the struggle may be fairly attributed.

The assertion of the indestructibility of the Union involves the assertion of the indestructibility of the States of which the Union is composed. It follows, therefore, that, during the war, Virginia, Alabama, Georgia, and all the Southern States, although a majority of their inhabitants were in rebellion, were as much States within the Union as they were before the war, and that the acts of their Legislatures, Governors, and other officers duly elected and quali-

fied, were valid or illegal precisely as they agreed or conflicted with the provisions of the Constitution of the United States. The test by which those acts are to be tried in every instance is the Constitution. If a law was passed in the interest of rebellion, that law was void because unconstitutional. If a Sheriff hung a prisoner regularly convicted before a State Court organized under State laws, the act was valid because constitutional. Individuals, not States, or counties, or cities, were guilty of rebellion; and upon them, in their individual capacity, the consequences of their violation of the law must rest. These plain illustrations show the logical completeness and practical justice of the theory announced by Mr. Lincoln and by Congress in 1861, and persistently followed until the end of the war in 1865.

The war did not *restore* the Union, because the Union was never disrupted. It simply, by a severe example, proved that the people of the United States possess, and will constantly exercise the power to *maintain* the Union against all internal convulsions. It also, but only as a means to this end, destroyed slavery, and purged the South of the most dangerous element in its institutions. At its ter-

mination, the country, in point of law and political organization, was in exactly the same position as in 1860. A very large number of persons had laid themselves liable to the penalties of treason, and we had to face the material results of years of military and naval operations upon an almost unprecedented scale. But the Constitution and the laws remained intact; the different States remained intact, and all the obstacles which had prevented communication between the General Assembly of the nation and a portion of its constituents were removed. It only remained for duly organized communities throughout the country to resume their constitutional functions, for the Government to punish or pardon individual offenders against the laws as justice or policy might dictate, and for the people themselves to repair the ravages which the struggle had caused.

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Such was the posture of affairs at the close of the war. Mr. Lincoln, originally a Whig, entertained and had uniformly acted upon these views, and when, by his untimely death, the nation was deprived of one of the greatest and best of its Chief Magistrates, Mr. Johnson, originally a Democrat, took up his policy where he left it, and to that policy faithfully adhered.

In this course the people acquiesced. The results of the war were accepted in good faith by the South, and in the North a degree of magnanimity never before witnessed in the flush of victory was shown, and which gave the best possible guaranty for the stability of our institutions.

All over the country our citizens returned to their customary vocations, and law and order were everywhere substantially restored. In the States lately insurgent, the Federal Judiciary, the Federal system of taxation, and all the laws of the United States, were placed in full operation. By these States the amendment to the Constitution giving a constitutional sanction to the abolition of slavery was ratified, and the various acts of ratification were accepted by Congress.

The one thing wanting to complete the process of rehabilitation was a full representation of the whole Union in the Congress of the United States, and the essential point now to be decided is whether the States whose inhabitants had rebelled were or were not entitled to representation on the restoration of peace. This really condenses the whole issue between the President and the majority of Congress.

It would seem to be almost a work of superero-

gation further to argue this question. The war could only be justified on the score of the inherent indestructibility of the Union, which, as we have shown, involves the inherent indestructibility of the States. The States, then, were intact when the war commenced, and they were intact when the war ended. Therefore, they were entitled to representation as expressly secured by the Constitution; and, as this right is fundamental, Congress has no constitutional power to annex any conditions, or to place any limitations upon its exercise. The right of that body to judge of the personal qualifications of its own members we do not question; but that right belongs to the Congress of the Union, composed of all the States of the Union, and, while it may be used to exclude individuals, it cannot be employed to deprive the States of the representation which irrevocably belongs to them under the organic law of the land.

If individual citizens have violated the law, they may be punished by law. If any extraordinary legislation by Congress is needed, that body possesses the power within the Constitution of enacting the necessary laws. If the Constitution itself requires to be amended, there is a lawful mode of

amending it. But for Congress to assert the power to deprive any State within the Union of its right of representation, is to assert the power to deprive every State of representation, and in effect to destroy the Government; is in direct antagonism to the theory under which the war was prosecuted; is an admission of the right and of the fact of secession, and, if persisted in, can only result in the subversion of the objects for which a million of lives were sacrificed, and three thousand millions of money expended, and in the virtual destruction of the liberal and progressive institutions which these great sacrifices were made to maintain.

That conciliation after victory is the wisest policy, the experience of all free nations attests, and it is apparent that the only hope of conciliation, the only ascertainable basis of re-adjustment, in our country is the Constitution. That ignored, or perverted, to secure the ascendancy of a particular section or of peculiar ideas, the Union will indeed cease to exist, and this great and prosperous nation will present the melancholy spectacle, so often predicted by political writers, of section warring against section and State against State, while, in the midst of the general confusion, selfish partisans, struggling

for the dominancy of the jarring and clamorous interests they represent, will obscure all statesmanship, and destroy the last and best hope of the lovers of human freedom throughout the world.

A state of intensified discontent in a large part of the Union must be injurious to the whole.

But California is especially interested in a speedy settlement of the question between Congress and the President.

This is a new State, possessing resources and interests which require the fostering influence of peace and the harmonious union of all the communities with which she is associated, and a prolongation of the controversy must drain her of the capital and deprive her of the population she so greatly needs.

Fellow citizens: While the wisest and best men, both of the North and the South, are earnestly uniting for the complete restoration of peace and harmony; while the defeated soldiers of the dead Confederacy are entrusting their destiny to the victorious soldiers of the living Union; in this critical hour, when the very essentials of liberty are at stake, let it not be said that California failed in her

duty. Bought by the whole nation, developed by the whole nation, identified in all her interests with the broadest freedom and toleration, and containing no element of population or of production that should render her contracted, bigoted, rapacious or revengeful, let her put on the "armor of light," and stand firm in defense of a truly national position and of the highest interests of liberal and Christian civilization, casting no bitter, scornful glance upon the erring brethren who have returned to the home made for them by the fathers, but looking upon them and upon the people of the whole Union with that equal affection upon which alone Republican unity can rest.

In conclusion, we earnestly recommend the immediate formation of Clubs and County Committees throughout the State, in order that an effective support may be given to the policy of the President; and we invite the co-operation of all persons who endorse the views put forth in this address and who are in favor of placing this State in harmony with the National Union Party.

The officers of all Clubs and Committees are requested to communicate with us, to the address of our Secretary, so that in due time a State Conven-

tion may be held, and a thorough representation of the supporters of the administration of the President effected.

A. J. GUNNISON,
CHAS. MACLAY,
JOHN CENTER,
GEO. W. HAGAR,
W. H. CULVER,
DELOS LAKE,
EDWARD STANLEY,
J. W. WILCOX,
E. O. BROWN,

M. S. WHITING, Chairman,
I. N. THORNE, Secretary,
National Union State Central Committee.

